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BY EMAIL AND ECF

Hon. Alvin K. Hellerstein
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Sung Kook (Bill) Hwang, et al., No. 22 Cr. 240 (AKH)

Dear Judge Hellerstein:

Following the conference yesterday, we had further discussions with our experts, who reinforced the concerns we raised in the conference that the February 27 start date does not provide them sufficient time to conduct analyses of the new trade data or properly evaluate the prosecution's expert analyses in light of the new trade data.

Moreover, in reviewing the transcript, we realized that the original one-month adjournment that Your Honor had raised at the outset of the conference would not disrupt the Court's scheduled recess on April 18. As became clear at the conclusion of the conference, even if trial commenced on February 27, the parties would need to resume the trial after the Court's recess to conclude it, given the anticipated length of the prosecution and defense cases.

In light of these facts, we respectfully request an additional three weeks to prepare for trial in this case. All told, that would result in a one-month adjournment from the original trial date of February 20. While we continue to believe defendants will suffer substantial prejudice from the prosecution's Rule 16 violation without a lengthier adjournment, the additional three weeks would at least allow our experts more time to analyze the data and perform additional work using the newly produced trading data in an effort to mitigate it.

At yesterday's conference, the prosecution stated that, "in light of the record here, we have no opposition to granting a month adjournment to the defense." Tr. 16:9-11. Accordingly, we respectfully request that the Court do just that and order trial to commence on March 18, with breaks as needed to accommodate the Court's schedule. On behalf of their client Patrick Halligan, Mary Mulligan and Timothy Haggerty join this request.

Respectfully submitted,

/s/ Barry H. Berke
Barry H. Berke
Dani R. James
Jordan Estes

/s/ Mary E. Mulligan
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cc: Counsel of record